

Remarks

The above Amendments and these Remarks are in reply to the Office Actions mailed March 22, 2005 and June 13, 2005.

Claims 1-23 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner allowed claims 1-15, rejected claims 16-19, and restricted claims 20-23. The present Response amends claims 1, 10, and 16, and adds new claims 24-28, leaving for the Examiner's present consideration claims 1-19 and 24-28. Reconsideration of the rejections is requested.

I. ELECTION OF SPECIES

Claims 1-19

As described in the Office Action by the Examiner, a telephone conversation between the Examiner and Michael Robbins on March 21, 2005 resulted in a provisional election made without traverse to prosecute the invention of group I, claims 1-19.

II. OBJECTION TO THE SPECIFICATION

Abstract

The Examiner objected to the abstract of the disclosure because of the implied language in line 1. Applicants request that the Abstract be amended as shown above. It is submitted that the Abstract as amended does not include objectionable language.

III. REJECTION UNDER 35 U.S.C. §102(B) OVER *HECKAMAN ET AL.* (U.S. PATENT 4,951,011)

Claims 16-18

The Examiner rejected claims 16-18 under 35 U.S.C. §102(b) as being anticipated by *Heckaman*. Applicants respectfully traverse this rejection.

The Examiner describes Heckaman as disclosing "a dielectric insert assembly to provide a hermetic seal in a coaxial connector (fig. 3), comprising: a substantially cylindrical sleeve (63) having a first inner diameter (fig. 3); and a dielectric insert (85) formed within the sleeve (fig. 5)...wherein the distal end includes a recess having a second diameter (curved indents in 85 figures 5-7)." See OA, page 4. However, *Heckaman* fails to disclose "a center conductor pin extending through the dielectric insert; and a compensation gap extending into the second end of the dielectric insert, the compensation gap having a second diameter smaller than the first inner diameter; wherein a portion of the center conductor pin extends through the compensation gap" as recited in claim 16. Referring to Figs. 2 and 5-7, *Heckaman* describes plug-in package

arrangements wherein the glass bead 85 is formed within a header 81, an artifact of which is the curved indents noted by the Examiner. The curved indents form between the pin 86 and a wall of the header 81, creating an annular groove in the top and bottom surfaces of the glass bead 85. The pin 86 does not extend through the curved indents, but rather supports the curved indents which form between the pin 86 and the header 81.

Applicants submit that *Hackaman* fails to disclose “a center conductor pin extending through the dielectric insert; and a compensation gap extending into the second end of the dielectric insert, the compensation gap having a second diameter smaller than the first inner diameter; wherein a portion of the center conductor pin extends through the compensation gap” as recited in claim 16, and therefore cannot anticipate claim 16 under 35 U.S.C. §102(b). Dependent claims 17 and 18 ultimately depend from independent claim 16 and are therefore patentable for at least the reasons given for the patentability of claim 16. Accordingly, Applicants respectfully requests the withdrawal of this rejection.

IV. REJECTION UNDER 35 U.S.C. §103(A) OVER *HECKAMAN* IN VIEW OF *SZWEC* (U.S. PATENT 5,563,562)

Claim 19

The Examiner rejected claim 19 under 35 U.S.C. §103(a) over *Heckaman* in view of *Szwec*. Applicants respectfully traverse this rejection.

The Examiner states that regarding claim 19, “Heckaman does not specifically disclose that molding forms the dielectric insert. *Szwec* discloses a glass bead dielectric insert formed by molding (col. 4 lines 14-15).” See OA, page 5. However, *Heckaman* in view of *Szwec* fail to teach or suggest all of the features of claim 19. For the reasons given above in Section III, *Heckaman* fails to teach or suggest “a center conductor pin extending through the dielectric insert; and a compensation gap extending into the second end of the dielectric insert, the compensation gap having a second diameter smaller than the first inner diameter; wherein a portion of the center conductor pin extends through the compensation gap.” *Szwec* fails to remedy this deficiency. Referring to Figs. 1-6, *Szwec* describes an air dielectric arranged in series with a bead 20. Nowhere does *Szwec* teach or described a compensation gap, wherein “a portion of the center conductor pin extends through the compensation gap,” as recited in claim 16.

Applicants submit that *Heckaman* in view of *Szwec* fails to teach or suggest either “a center conductor pin extending through the dielectric insert; and a compensation gap extending into the second end of the dielectric insert, the compensation gap having a second diameter smaller than the first inner diameter; wherein a portion of the center conductor pin extends through the compensation gap” as recited in claim 16. Dependent claims have at least the features of the claims from which they depend. Claim 19 ultimately

depends from claim 16, and therefore includes all of the features of claim 16. Because *Heckaman* in view of *Szwec* fails to teach or suggest all of the features of claim 19, *Heckaman* in view of *Szwec* cannot render claim 19 obvious under 35 U.S.C. §103(a). Accordingly, Applicants respectfully requests the withdrawal of this rejection.

V. ALLOWABLE SUBJECT MATTER

Claims 1-15

Applicants appreciate the indication that claims 1-15 are allowed. Claims 1 and 10 have been amended to clarify the claimed invention by more closely conforming claim language to language used in the detailed descriptions of the figures. Applicants assert that these amendments are not intended to narrow the scope of the claims and that application of the doctrine of equivalents should not be affected under a theory of prosecution estoppel, as defined under the *Festo* ruling.

VI. ADDITIONAL CLAIMS

Claims 24-28

The newly added claims are, it is submitted, allowable over the cited art..

VII. CONCLUSION

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: 7/12/05

By: 

Michael Robbins
Reg. No. 54,774

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800